

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

vs.

STEPHANIE SMITHSON (1)

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§

Case No. 4:07cr173  
(Judge Schell)

## **REPORT AND RECOMMENDATION** **OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on January 13, 2014, to determine whether Defendant violated her supervised release.

On April 30, 2008, Defendant was sentenced by the Honorable Richard A. Schell to fifty-one (51) months' custody followed by thirty-six (36) months of supervised release for the offense of Bank Robbery. On May 22, 2013, Defendant completed her period of imprisonment and began service of her second supervised term.

On June 24, 2013, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserts that Defendant violated various mandatory, standard, and special conditions. The Government agreed to dismiss allegations two, three, and four.

The petition alleges that Defendant committed the following acts: (1) On May 29, 2013, Defendant submitted a urine specimen in Arlington that tested positive for amphetamine; and (2) On June 4, 2013, Defendant admitted verbally and in writing that she used methamphetamine on or about May 26 and June 2, 2013.

Prior to the Government putting on its case, Defendant entered a plea of true the remaining violation. The Court recommends that Defendant's supervised release be revoked.

### **RECOMMENDATION**

The Court recommends that the District Judge revoke Defendant's supervised release. The Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of nine (9) months with no supervised release to follow. It is also recommended that Defendant be housed in the Bureau of Prisons, Tallahassee Unit.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

**SIGNED this 14th day of January, 2014.**

  
AMOS L. MAZZANT  
UNITED STATES MAGISTRATE JUDGE